

REASONS FOR ALLOWANCE

The amendments to the claims filed 2/10/09 have overcome the restriction requirement between Groups I and II as set forth in the restriction requirement mailed 12/11/08. this was discussed in the interview of 2/24/09 (interview summary attached). It was also discussed in the interview the prior art of record where the examiner indicated that the applicability of the cited art would be dependent on the results of a sequence search of the sequences recited in the claims. It is not necessary for applicant to provide a separate record of the interview of 2/24/09.

The restriction requirement between Groups I and II, as set forth in the Office action mailed on 12/11/08, has been reconsidered. **The restriction requirement is hereby withdrawn.**

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

The following is an examiner's statement of reasons for allowance: The prior art, although disclosing siRNA and antisense to STA-6, does not disclose nor reasonably point to the siRNA compounds recited in the instant claims. Khvorhova et al [US 2007/0031844], for example discloses siRNA to STAT6, however does not disclose or make obvious the claimed siRNA compounds or their use in the claimed methods.

It is noted that the copy of the reference Rippmann submitted by applicant with the IDS filed 9/29/06 is incomplete. The examiner, however, has obtained a complete copy and provided it for the application file.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean R. McGarry whose telephone number is (571) 272-0761. The examiner can normally be reached on M-Th (6:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Douglas Schultz can be reached on (571) 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner
Art Unit 1635

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